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### DECLARATION

As the below-named inventors, we declare that:

Our residences, post office addresses, and citizenships are as stated below under our names.

We believe we are the original, first, and joint inventors of the invention entitled "DOPPLER ULTRASOUND METHOD AND APPARATUS FOR MONITORING BLOOD FLOW AND HEMODYNAMICS," which is described and claimed in the application and claims of Patent Application No. 10/618,090, which we filed in the United States Patent and Trademark Office on July 10, 2003 and for which a patent is sought.

We have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to herein (if any).

We acknowledge our duty to disclose information of which we are aware which is material to patentability and examination of this application in accordance with 37 C.F.R. § 1.56(a).

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that the making of willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of any patent issuing from this patent application.

  
\_\_\_\_\_

Mark A. Moehring

Date 12-12-03

Residence : City of Seattle, County of King  
State of Washington  
Citizenship : United States of America  
P.O. Address : 11609 2<sup>nd</sup> Avenue Northwest  
Seattle, Washington 98177

Dec-11-03 05:10

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\_\_\_\_\_  
Joseph H. Farnsworth

Date

12-12-03

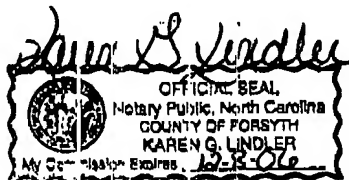
Residence

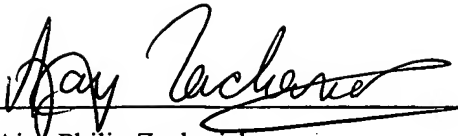
: City of Vassalboro, County of Kennebec  
State of Maine

Citizenship

: United States of America

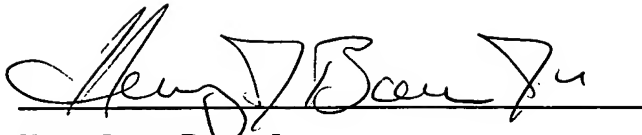
P.O. Address

: 812 Webber Pond Road  
Vassalboro, Maine 04989

  
Ajay Philip Zachariah

Date 12/11/2003

Residence : City of Bellevue, County of King  
State of Washington  
Citizenship : United States of America  
P.O. Address : 2327 128<sup>th</sup> Avenue Southeast  
Bellevue, Washington 98005

  
Henry James Baron, Jr.

Date 12/11/2003

Residence : City of Kirkland, County of King  
State of Washington  
Citizenship : United States of America  
P.O. Address : 602 8<sup>th</sup> Avenue  
Kirkland, Washington 98033

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/618,090 Confirmation No. : 3808  
Applicants : Mark A. Moehring, Joseph H. Farnsworth, Ajay Philip Zachariah and  
Henry James Baron, Jr.  
Filed : July 10, 2003 Attorney Docket No.: 33354/US  
Art Unit : 3737 Customer No. : 27,076  
Examiner : Not Yet Assigned  
Title : DOPPLER ULTRASOUND METHOD AND APPARATUS FOR MONITORING  
BLOOD FLOW AND HEMODYNAMICS

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73(b) AND POWER OF ATTORNEY**

Sir:

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment filed concurrently herewith, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

Assignee hereby appoints EDWARD W. BULCHIS, Reg. No. 26,847; PAUL T. MEIKLEJOHN, Reg. No. 26,569; BRIAN C. PARK, Reg. No. 45,519; KIMTON N. ENG, Reg. No. 43,605; MARK W. ROBERTS, Reg. No. 46,160; STEVEN H. ARTERBERRY, Reg. No. 46,314; DOUGLAS STEWART, Reg. No. 51,060; RAYMOND M. ANANIAN, Reg. No. 35,050; JOHN F. BRADY, Reg. No. 39,118; DAVID J. BREZNER, Reg. No. 24,774; RONALD BROWN, Reg. No. 29,016; DAVID BRUHN, Reg. No. 36,762; CHRISTOPHER CASIERI, Reg. No. 50,919; ROBERT CHICKERING, Reg. No. 24,286; W. ROBINSON CLARK, Reg. No. 41,530; SHANE COLEMAN, Reg. No. 44,623; ANGELA DRALLE, Reg. No. 51,632; DANIEL FISHER, Reg. No. 34,162; DAVID FOSTER, Reg. No. 44,685; DAVID FRONEK, Reg. No. 25,678; MICHAEL GILCHRIST, Reg. No. 40,619; BRAD HATTENBACH, Reg. No. 42,642; REED HEIMBECHER, Reg. No. 36,353;

CRAIG HEMENWAY, Reg. No. 44,759; STUART HEMPHILL, Reg. No. 28,084; MARK HOGGE, Reg. No. 31,622; TIANJUN HOU, Reg. No. 51,821; JASON HUNT, Reg. No. 53,048; S. WADE JOHNSON, Reg. No. 50,873; VICTOR E. JOHNSON, Reg. No. 41,546; MICHAEL A. KAUFMAN, Reg. No. 32,998; JOHN KENNEDY, Reg. No. 42,717; RENEE KOSSLAK, Reg. No. 47,717; JASON KRAUS, Reg. No. 42,765; JENNIFER LANE, Reg. No. 51,916; BRIAN LAURENZO, Reg. No. 34,207; KELLY LEE, Reg. No. 47,743; STEVEN LENDARIS, Reg. No. 53,202; KENNETH LEVITT, Reg. No. 39,747; TODD LORENZ, Reg. No. 39,754; JANET MACLEOD, Reg. No. 35,263; DIANE J. MASON, Reg. No. 43,777; CHARLES MATSON, Reg. No. 52,006; EUK Y. OH, Reg. No. 54,345; LEE OSMAN, Reg. No. 38,260; DEVAN PADMANABHAN, Reg. No. 38,262; ANN MARIA PEASE, Reg. No. 42,067; STEVEN PEDERSON, Reg. No. 53,447; JAMES PINTO, Reg. No. 40,774; GARY POLUMBUS, Reg. No. 25,364; PAUL PRENDERGAST, Reg. No. 46,068; PAUL ROBBENNOLT, Reg. No. 52,169; TRACI H. ROPP, Reg. No. 44,307; SCOTT ROTHENBERGER, Reg. No. 41,277; GURJEEV SACHDEVA, Reg. No. 37,434; ROBIN M. SILVA, Reg. No. 38,304; SEAN SOLBERG, Reg. No. 48,653; GERALD SULLIVAN, Reg. No. 37,243; MARIA S. SWIATEK, Reg. No. 37,244; ALDO J. TEST, Reg. No. 18,048; RICHARD TRECARTIN, Reg. No. 31,801; RAYMOND VAN DYKE, Reg. No. 34,746; MICHAEL VAN LOY, Reg. No. 52,315; SEAN WOODEN, Reg. No. 43,997; EDWARD WRIGHT, Reg. No. 24,903; MIN XU, Reg. No. 39,536; MICHAEL YE, Reg. No. 47,195; and the attorneys and agents associated with the firm of **DORSEY & WHITNEY LLP, Customer Number 27,076**, as its attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Please direct all telephone calls to **Kimton N. Eng** at (206) 903-8800 and telecopies to (206) 903-8820.

Please direct all communications to:

Kimton N. Eng, Esq.  
**Customer No. 27,076**  
 Dorsey & Whitney LLP  
 1420 Fifth Avenue, Suite 3400  
 Seattle, Washington 98101  
 (206) 903-8800

Pursuant to 37 C.F.R. § 3.73(b), the undersigned duly authorized designee of Assignee certifies that the evidentiary documents have been reviewed, specifically the Assignment to SPENTECH, INC., filed concurrently herewith for recording, a copy of which is attached hereto, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

SPENTECH, INC.  
ASSIGNEE

DATE

12/12/03

Scott M. Seidel  
President

Enclosure:

Copy of Assignment

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## ASSIGNMENT

WHEREAS, we, Mark A. Moehring, Joseph H. Farnsworth, Ajay Philip Zachariah and Henry James Baron, Jr. (hereinafter referred to as ASSIGNORS), having post office addresses of 11609 2<sup>nd</sup> Avenue Northwest, Seattle, Washington 98177, 812 Webber Pond Road, Vassalboro, Maine 04989, 2327 128<sup>th</sup> Avenue Southeast, Bellevue, Washington 98005, and 602 8<sup>th</sup> Avenue, Kirkland, Washington 98033, respectively, are the joint inventors of an invention entitled "DOPPLER ULTRASOUND METHOD AND APPARATUS FOR MONITORING BLOOD FLOW AND HEMODYNAMICS," as described and claimed in the application for United States letters patent which was filed on July 10, 2003 and assigned Application No. 10/618,090.

WHEREAS, Spentech, Inc. (hereinafter referred to as ASSIGNEE), a corporation of the State of Washington having a place of business at 701 16<sup>th</sup> Avenue, Seattle, Washington 98122, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign and transfer unto said ASSIGNEE, the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer and sale not been made. ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNORS agree to execute all instruments and documents

required for the making and prosecution of applications for United States and foreign letters patent on said invention, for litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

12-12-2003  
Date

Mark A. Moehring  
Mark A. Moehring

State of Washington     )  
                                      ) ss.  
County of                    )

I certify that I know or have satisfactory evidence that Mark A. Moehring is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated 12-12-2003  
Signature of Notary Public [Signature]  
Printed Name Bonny-Hi Toria Maddox  
My appointment expires 12-15-2004

Dec-11-03 05:10

P.07

Date

12-12-03

Joseph H. Farnsworth

Joseph H. Farnsworth

State of Wash

on - NC )

County of

Forsyth ) ss.

I certify that I know or have satisfactory evidence that Joseph H. Farnsworth is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

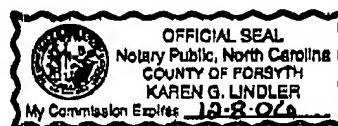
Dated

Dec 12 2003Signature of  
Notary PublicKaren G. Lindler

Printed Name

Karen G. Lindler

My appointment expires

Dec 8 2006

12/11/2003

Date

Ajay Zachariah

Ajay Philip Zachariah

State of Washington )

) ss.

County of King )

I certify that I know or have satisfactory evidence that Ajay Philip Zachariah is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

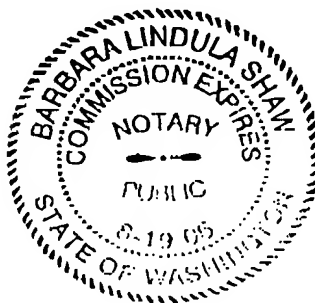
Dated

December 11, 2003Signature of  
Notary PublicBarbara Lindula Shaw

Printed Name

Barbara Lindula Shaw

My appointment expires

08-19-06

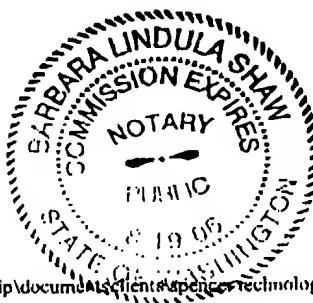
12/11/03  
Date

Henry James Baron, Jr.  
Henry James Baron, Jr.

State of Washington )  
County of King ) ss.

I certify that I know or have satisfactory evidence that Henry James Baron, Jr. is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated December 11, 2003  
Signature of Notary Public Barbara Lindula Shaw  
Printed Name Barbara Lindula Shaw  
My appointment expires 08-19-06



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